


Application Number 	Application/Control No. 10/629,725	Applicant(s)/Patent under Reexamination ARONSON ET AL.	
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TERMINAL DISCLAIMER	<input checked="checked" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : January 16, 2006	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Henry D. Jefferson



**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL
DOUBLE PATENTING REJECTION**

Current application of : Aronson et al.
Assignee : Finisar Corporation
Serial No. : 10/629,725
For : Integrated Circuit with Dual Eye
Openers
Filed : July 28, 2003
Examiner : Emmanuel Bayard
Group Art Unit : 2638

ASSISTANT COMMISSIONER OF PATENTS
Washington, D.C. 20231

Dear Sir:

Assignee, through its attorney of record, represents that it is the owner of the entire interest in the above-identified patent application. Particularly, the above-identified application, as well as United States Patent Application Serial No. 10/629,302, which was filed on July 28, 2003 (the "'302 Application"), are both divisions of US Patent Application Ser. No. 10/420,027 (the "'027 Application") which is owned by the Assignee by virtue of the assignment recorded in the United States Patent and Trademark Office at Reel 014504, Frames 0930 through 0938 (a copy of which is attached hereto as Exhibit A).

In light of the foregoing, Assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of any patent issuing from '302 Application, as presently shortened by any terminal disclaimer. Assignee agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to it and the '302 Application (and any patent issuing therefrom) are commonly owned. The foregoing agreement by the Assignee runs with any patent granted on the above-identified application and is binding upon the grantor, its successors or assigns.

Assignee does not, however, disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any patent issuing from the '302 Application in the event that such patent issuing from the '302 Application later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a); has all claims canceled by a reexamination certificate; or, is reissued or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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Assignee hereby declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 16th day of January, 2006.

Respectfully submitted,

WORKMAN NYDEGGER

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